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7 Attorney for Plaintiff

8
9 **UNITED STATES DISTRICT COURT**
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO/OAKLAND DIVISION**

12 **THE TORRLUBE COMPANY, LLC,**

13 Plaintiff,

14 vs.

15 **NETMERCURY, INC., a California**
16 **corporation**

17 Defendant.

18 } No. CV 10 - 1427 EJD

19 } **JOINT MOTION TO DISMISS - FRCP Rule**
20 } **41(a)(1) and ORDER**

21 It is jointly moved by the parties hereto, by their respective counsel of record, and subject to
22 the approval of the Court, pursuant to Rule 41 (a) (1), as follows:

23 The parties hereto having entered into a binding confidential settlement on October 14,
24 2011, the parties move the court that all claims in this action for damages and otherwise shall be
25 and are **dismissed with prejudice**.

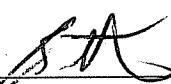
26 Each party shall bear his, her or its own costs and attorneys fees. The Court shall retain
27 jurisdiction to enforce the terms of the settlement.

28 All dates are vacated. **[SIGNATURES ON NEXT PAGE]**

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2 Dated: October 16, 2011
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4 S/Richard I. Wideman
5 RICHARD I. WIDEMAN, ESQ.
6 Attorney for THE TORRLUBE COMPANY LLC
7

8 TINGLEY, PIONTKOWSKI LLP
9

10 By: 
11 BRUCE PIONTKOWESKI, ESQ.
12 Attorneys for NET MERCURY, INC.
13

14 IT IS SO ORDERED. The Clerk shall close this file.
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16 Dated: October 19, 2011
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19 EDWARD J. DAVILA
20 UNITED STATES DISTRICT JUDGE
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